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Hutchison Law Group PLLC

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**Fax**

Date: March 21, 2007

To: USPTO

From: Thomas E. Holsten

Attention:

Fax: +1.919.829.4332

Direct Phone: +1.919.829.4338

Fax: 571 273 8300

Our Ref.: BASF.10027

Your Ref.: 10/522,096

No. Pages: 6 (incl. this page)

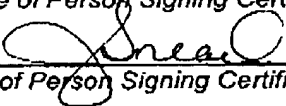
Comments:

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Documents enclosed:

Transmittal Letter (in duplicate)	2 pages
Response to Restriction Requirement	3 pages

Jennie Snead  
(Typed Name of Person Signing Certificate)

  
(Signature of Person Signing Certificate)

Date of Signing: March 21, 2007

MAR 21 2007

PTO/SB/21 (09-08)

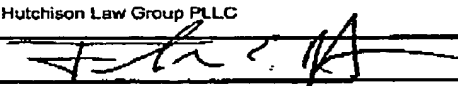
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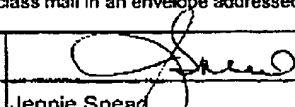
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/522,096
	Filing Date	January 24, 2005
	First Named Inventor	Thomas EHRHARDT
	Art Unit	1852
	Examiner Name	Tokchand Saldha
	Attorney Docket Number	BASF.10027
Total Number of Pages in This Submission	5	

ENCLOSURES (Check all that apply)		
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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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	The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-3218. This paper is submitted in duplicate.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Hutchison Law Group PLLC		
Signature			
Printed name	Thomas E. Holsten		
Date	March 21, 2007	Reg. No.	46,098

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jennie Sneed	Date	March 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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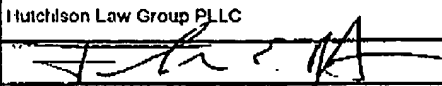
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)  Total Number of Pages in This Submission	Application Number	10/522,096
	Filing Date	January 24, 2005
	First Named Inventor	Thomas EHRHARDT
	Art Unit	1652
	Examiner Name	Tokchand Soldha
	Attorney Docket Number	BASF.10027
		5

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-3218. This paper is submitted in duplicate.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Hutchison Law Group PLLC		
Signature			
Printed name	Thomas E. Holsten		
Date	March 21, 2007	Reg. No.	46,098

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Signature			
Typed or printed name	Jennie Sneed	Date	March 21, 2007

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**MAR 21 2007**

Patent  
Attorney Docket No. BASF.10027

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Thomas EHRHARDT et al.	Mail Stop: Amendment
Application No.: 10/522,096	Group Art Unit: 1652
Filing or 371(c) Date: January 24, 2005	Examiner: Tekchand Saidha
Title: Sucrose-6-Phosphate Phosphatase as Target for Herbicides	Confirmation No.: 9245

**RESPONSE TO  
RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In complete response to the Restriction Requirement mailed February 21, 2007, Applicants elect Group IV, claims 9-13, 15, 17, and 20 with traverse, and SEQ ID NO: 1 for prosecution in the present application.

The Restriction Requirement required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I, claim(s) 2 and 5-7, drawn to plant nucleic acid [SEQ ID NO: 1 or 3 (Nicotiana tabacum) or SEQ ID NO: 5 (Solanum tuberosum)] encoding sucrose-6-phosphate phosphatase;

Group II, claim(s) 3, drawn to a polypeptide having the biological activity of sucrose-6-phosphate phosphatase;

Group III, claim(s) 4, drawn to a method of detecting functional analogs of SEQ ID NO: 1 or 3 or 5;

Group IV, claim(s) 9-13, 15, 17 and 20, drawn to a method of identifying herbicidally active substances using the polypeptide of SEQ ID NO: 2 or 4 or 6 (or the encoding nucleic acid sequence of SEQ ID NO: 1 or 3 or 5) and compound identified;

Group V, claim(s) 14 and 18, drawn to method for identifying substances with a growth-regulatory action and the compound identified;